



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/524,446

10/31/2006

Stanley E. Hawkins

AQU1.PAU.01 US

6250

79782

7590

08/26/2009

Law Offices of Daniel L. Dawes
5200 Warner Blvd, Ste. 106
Huntington Beach, CA 92649

EXAMINER

DUNWOODY, AARON M

ART UNIT

PAPER NUMBER

3679

MAIL DATE

DELIVERY MODE

08/26/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/524,446	Applicant(s) HAWKINS ET AL.	
	Examiner Aaron M. Dunwoody	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to because the leader lines of Figure 1 disappear, and each Figure must have its own unique Figure number. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Color photographs and color drawings are not accepted unless a petition filed under 37 CFR 1.84(a)(2) is granted. Any such petition must be accompanied by the appropriate fee set forth in 37 CFR 1.17(h), three sets of color drawings or color photographs, as appropriate, and, unless already present, an amendment to include the

Art Unit: 3679

following language as the first paragraph of the brief description of the drawings section of the specification:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

Color photographs will be accepted if the conditions for accepting color drawings and black and white photographs have been satisfied. See 37 CFR 1.84(b)(2).

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Art Unit: 3679

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

The abstract of the disclosure is objected to because it fails to define the claimed invention. Correction is required. See MPEP § 608.01(b).

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Irrigation Connectors.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claims 9-28, the Examiner is completely confused as to what Applicant's claimed invention might be. Applicant claims a "method of manufacturing fitting according to individual customer demand"; however, the Examiner is completely confused as to what Applicant's claimed invention might be. How is the customer demand determined? Who are the customers? How many customers determine the demand; two, three, one thousand?

Applicant claims a "method of providing an inventory of made-to-demand fittings"; however, the Examiner is completely confused as to what Applicant's claimed invention might be. How is the made-to-demand determined? What exactly does "made-to-demand" mean?

Applicant claims a "made-to-demand fitting"; however, the Examiner is completely confused as to what Applicant's claimed invention might be. How is the made-to-order demand determined? What exactly does "made-to-demand" mean?

Applicant claims an "inventory for made-to-demand fitting"; however, the Examiner is completely confused as to what Applicant's claimed invention might be. How is the made-to-order demand determined? What exactly does "inventory" mean, is there some type of warehouse implied?

Regarding claims 17, 18, and 21-25, the phrases "male or female type", "insert-type", "first type" and "second type" render the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "male or female type", "insert-type", "first type" and "second type"), thereby rendering the scope of the claim(s) unascertainable.

Regarding claim 11, the phrase "and/or" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "and/or"), thereby rendering the scope of the claim(s) unascertainable.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 3679

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 11, 12, and 14-28 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 6547159, Westby.

In regards to claim 1, Westby discloses a kit for agricultural and landscape irrigation fittings ready made according to demand comprising: a plurality of basic parts including: a common body having a plurality of joints; and a plurality of different types of termination fittings, wherein the plurality of basic parts can be assembled together in various combinations to form a multiplicity of distinct complete connectors, and wherein , the common body is adapted to be readily and permanently connected to one of the termination fittings at one of the plurality of joints.

In regards to claim 2, Westby discloses said common body has one or more variations including: a T-body; a 90 degree elbow body; a swivel hose body; or a ball valve body.

In regards to claim 3, Westby discloses the plurality of basic parts further include: a one-half inch male pipe thread (MPT) termination fitting; a three-quarter inch MPT termination fitting; or a three-quarter inch male hose thread (MHT) termination fitting.

In regards to claim 4, Westby discloses the common body has male ports.

In regards to claim 5, Westby discloses the plurality of basic parts are adapted to be assembled by sonic welding.

In regards to claim 6, Westby discloses the plurality of basic parts further include: a tee with hub base for female threaded hose swivel; a .250" barbed termination fitting;

Art Unit: 3679

a .400" barbed termination fitting; a .700" barbed termination fitting; a one-half inch pipe spigot termination fitting; a one-half inch pipe socket termination fitting; a three-quarter inch pipe socket termination fitting; or a three-quarter inch ball valve body.

In regards to claim 7, Westby discloses the termination fittings are a compression type for tubing.

In regards to claim 8, Westby discloses the termination fittings are an insert type.

In regards to claim 9, Westby discloses a method of manufacturing fittings according to individual customer demand suitable for agricultural and irrigation applications, comprising the steps of: providing a plurality of basic parts including a common body, and a plurality of termination fittings; and assembling the basic parts in various combinations to form a multiplicity of distinct complete connectors. wherein the common body has a plurality of joints adapted to be readily and permanently connected to at least one other basic part.

10. (Currently amended) The method of manufacturing connectors as in C=, claim 9 ap, aL further comprising sonic welding the basic parts to at least one joint of the common body together.

In regards to claim 11, Westby discloses providing the plurality of basic parts comprises providing the common body with has-one or more variations, including a T-body, an elbow body, a swivel hose body, and/or a ball valve body.

In regards to claim 12, Westby discloses providing additional basic parts including a tee with hub base for female threaded hose swivel, a 0.250"~ barbed termination fitting; a 0.400" barbed termination fitting, a 0.700" barbed termination fitting,

Art Unit: 3679

a one-half inch pipe spigot termination fitting, a one-half inch pipe socket termination fitting, a three-quarter inch pipe socket termination fitting; or a three- quarter inch ball valve body.

In regards to claim 13, Westby discloses the assembling step is performed using sonic welding.

In regards to claim 14, Westby discloses a method of providing an inventory of made-to-demand fittings suitable for agricultural and irrigation applications, comprising: providing a common body with at least two ports, according to demand; providing a plurality of different termination fittings that are selected according to demand; and permanently coupling-the selected ones of the plurality of the different termination fittings to the common body or coupling other ones of the different selected termination fittings together according to demand to form a fluid-tight seal between them and to provide a completed connector.

In regards to claim 15, Westby discloses providing the common body comprises selectively providing a T-body, elbow body, swivel hose body, or ball valve body according to demand.

In regards to claim 16, Westby discloses providing selected termination fittings according to demand comprises selectively providing threaded, barbed or spigot termination fittings of selected sizes, hose swivel fittings of selected sizes, pipe socket termination fittings of selected sizes, ball valve bodies of selected sizes, or tubing compression or insert-type termination fittings, each according to demand to couple to the common body.

In regards to claim 17, Westby discloses providing the common body comprises providing provides a body with ports of a first one of a male or female type, and where providing the selected termination fittings comprises providing termination fittings of a second one of a male or female type, opposite to the first type.

In regards to claim 18, Westby discloses providing a common body with ports of a first one of a male or female type comprises providing a common body with male type ports, and where providing termination fittings of a second one of a male or female type comprises providing termination fittings of a female type.

In regards to claim 19, Westby discloses made-to-demand fitting suitable for agricultural and irrigation applications comprising: a common body with at least two ports, which ports lack termination fittings; and termination fittings selected according to demand coupled to the common body to form a fluid-tight seal thereto, wherein each of the ports is adapted to be readily and permanently coupled to a selected termination fitting.

In regards to claim 20, Westby discloses the common body comprises a multiple port manifold selected according to demand.

In regards to claim 21, Westby discloses the selected termination fittings comprise threaded, barbed or spigot termination fittings of selected sizes, hose swivel termination fittings of selected sizes, pipe socket termination fittings of selected sizes, ball valve bodies of selected sizes, or tubing compression or insert-type termination fittings, each selected according to demand.

In regards to claim 22, Westby discloses the common body has ports of a first one of a male or female type, and where the selected termination fittings for coupling to the common body have a second one of a male or female type, opposite to the first type.

In regards to claim 23, Westby discloses the ports are male type ports, and the termination fittings are of a female type.

In regards to claim 24, Westby discloses made-to-demand fitting suitable for agricultural and irrigation applications as an adapter comprising: a male termination fitting of a first type selected according to demand; and a female termination fitting of a second type different from the first type selected according to demand, the male and female termination fittings being adapted to be readily and permanently coupled together to form a fluid-tight seal thereto.

In regards to claim 25, Westby discloses the first type of fittings is a compression fitting and where the second type of fitting is an insert fitting.

In regards to claim 26, Westby discloses an inventory for made-to-demand fittings suitable for agricultural and irrigation applications comprising: a plurality of different types of common bodies, each with at least two ports, the different types of common bodies being selected according to demand; and a plurality of different sizes and types of termination fittings, the different sizes and types of termination fittings being selected according to demand, whereby permanently coupling selected ones of the plurality of the different sizes and types of termination fittings to selected ones of the plurality of common bodies according to demand, or coupling other selected ones of the

Art Unit: 3679

different sizes and types of termination fittings together according to demand to provides a plurality of different completed fittings with minimal tooling and inventory.

In regards to claim 27, Westby discloses the plurality of different types of common bodies comprises ones selected from the group consisting of a T-body, an elbow body, a swivel hose body, and/or a ball valve body.

In regards to claim 28, Westby discloses the plurality of different sizes and types of termination fittings comprises ones selected from the group consisting of threaded, barbed or spigot termination fittings of selected sizes, hose swivel fittings of selected sizes, pipe socket termination fittings of selected sizes, ball valve bodies of selected sizes, or tubing compression or insert-type termination fittings of selected sizes.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3679

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron M Dunwoody/
Primary Examiner, Art Unit 3679

.amd